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March 16, 2006

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The Honorable Wan Kim
Assistant Attorney General for Civil Rights
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Assistant Attorney General Kim:

As I emphasized in our meeting of Monday, March 13, the scheduled New Orleans municipal elections have the potential to result in a historical level of disenfranchisement of African-American voters. Consequently, I am disappointed that today you precleared the Emergency Election Plan submitted by the State of Louisiana to govern that process. It seems clear that, notwithstanding the initiatives undertaken by the state, tens-of-thousands of voters will be shut out of the election process and that the state could have done more to protect the rights of voters.

The failure of the state to address the barriers to participation faced by displaced voters outside the state is the most glaring example of how the poorest of voters are made worse off by the plan that was precleared. These voters still face complex absentee voting procedures, requiring witnesses or notarization, that relies on an uncertain mail system at a time when many are transient or face homelessness. Many other late registering first-time voters and those who cannot traverse the absentee process are required to cross back into the state to vote, at considerable cost, when they lacked the resources to evacuate in the face the hurricane.

Moreover, the Secretary of State has continued to perpetuate barriers to equal voting rights by refusing to provide voter rolls, including the names of displaced voters, to activist groups and election candidates. Activist groups and candidates have traditionally used these lists to encourage voter turnout and involve minority voters in the electoral process by direct and mail communications. Without access to these voter rolls, the candidates and activist groups will be unable to reach out to displaced voters that may not receive voter information otherwise.


There is considerable work that must be done to protect against the election catastrophe clearly visible on the horizon. Unless the Justice Department acts to address these issues in advance, voter confusion and disenfranchisement will be the clear consequence of the April 22nd New Orleans municipal elections. As we move closer to election day, I trust that you will keep

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me informed of developments surrounding the enforcement of the Act and the voting rights of the displaced citizens of New Orleans.

Thank you for the timely response to my inquiries. Please provide any additional response to the Judiciary Committee, Democratic Office, 2142 Rayburn House Office Building, Washington, D.C. 20515, tel. 202-225-6504.

Sincerely,


John Conyers, Jr.
Ranking Member
Committee on the Judiciary